

Environmental

Transmittal # 02-07

Protection

Agency

Date Signed: **OCT 22 2007**

Region 5

REGION 5 DELEGATIONS MANUAL

Purpose. This transmittal provides revised delegations for the Region 5 Delegations Manual.

Explanation. The Waste, Pesticides, and Toxics Division has reorganized with an associated name change to the Land and Chemicals Division. Region 5 delegations regarding enforcement and other authorities under the Resource Conservation and Recovery Act (RCRA); the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); the Toxic Substances Control Act (TSCA); and the Emergency Planning, and Community Right to Know Act (EPCRA) have been revised to reflect the new names and structure. Many have been further revised to align LCD authorities more closely with other Region 5 delegations. Most of these bring decision making authority to the division director level, particularly in the enforcement programs. In two cases, obsolete regional delegations are being withdrawn. Revised delegations are:

Chapter 5, FIFRA

- 5-2 Certification of Applicators (Withdrawn)
- 5-4 Use of Pesticides Under Experimental Use Permits
- 5-6 State Programs for Experimental Use Permits
- 5-8 Registration of Establishments
- 5-9 Inspections and Information Gathering
- 5-10 Inspection of Establishments (Withdrawn)
- 5-12 Issuance of Stop Sale, Use, or Removal Orders
- 5-13 Disposition after Condemnation
- 5-14/5-A Administrative Enforcement Collection of Civil Penalty
- 5-19 Importation Activities
- 5-23 Research Grants and Cooperative Agreements for Research, Development, Monitoring, Public Education, Training, Demonstrations, and Studies
- 5-25 Administering Oaths
- 5-26 Cooperation with other Agencies
- 5-27 State Cooperative Agreements (Personnel and Facilities)
- 5-28 State Cooperative Agreements (State Programs)
- 5-29 Contracting for Applicator Training with Federal Agencies
- 5-30 Contracting for Applicator Training with State Agencies
- 5-32 State Registration for Special Local Needs

Delegation of Authority from the Regional Administrator

Chapter 8, Solid Waste Disposal Act

- 8-1 State Solid Waste Management Plans, Grants and State Program Submittals
- 8-6 Permits for Treatment, Storage or Disposal of Hazardous Waste
- 8-8 Inspections and Information Gathering
- 8-9-A Administrative Enforcement: Issuance of Complaints, Signing of Consent Agreements, etc.
- 8-9-B Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements
- 8-9-C Administrative Enforcement: Issuance of Consent Orders and Final Orders (Withdrawn)
- 8-12 Preliminary Notification Reports by Persons Generating, Transporting, Treating or Disposing of Hazardous Waste
- 8-13 State Hazardous Waste Grants and State Program Submittals
- 8-14 State Underground Storage Tank Financial Assistance Program and State Program Submittals
- 8-15 Distribution of Federal Financial Assistance Within States
- 8-17 Solid Waste Management Technical Training Assistance
- 8-19 Actions on Delisting Petitions to Exclude a Waste Produced at a Particular Facility
- 8-20 Monitoring, Testing, Analysis and Reporting
- 8-21 Exposure Information and Health Assessments
- 8-22-A Determinations of Imminent and Substantial Endangerment
- 8-22-B Abatement Actions Through Unilateral Orders
- 8-22-C Abatement Actions Through Consent Orders
- 8-23 Notice of Imminent and Substantial Endangerment
- 8-24 Inspections and Information Gathering (Subtitle I)
- 8-25 Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements (Subtitle I)
- 8-26 Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements (Subtitle I)
- 8-27 Administrative Enforcement: Issuance of Consent Orders and Final Orders (Subtitle I)
- 8-28 Case-By-Case Extension and "No Migration" Exemption Petitions for Continued Deep Well Injection of Hazardous Waste
- 8-31 Determination That There is or Has Been a Release
- 8-32 Administrative Enforcement – Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements
- 8-33 Selection and Performance of Federal Corrective Actions at Leaking Underground Storage Tanks
- 8-35 Waivers/Modifications/Exemptions for Surface Impoundment Retrofitting Requirement
- 8-37 Requiring Corrective Action for Releases of Petroleum from Underground Storage Tanks (Subtitle 1)
- 8-38 Cooperative Agreements (Subtitle I)

Delegation of Authority from the Regional Administrator

- 8-39 Issuing Subpoenas (Subtitle I)
- 8-42 Solid Waste Management Assistance
- 8-43 Administrative Enforcement: Issuance of Complaints, Signing of Consent Agreements, etc. (Subtitle J)
- 8-45-A Actions on Petitions Requesting a Variance from Treatment Standards for One-Time Wastes
- 8-45-B Actions on Petitions Requesting a Variance from a Treatment Standard for Contaminated Soil and/or Debris that are Site-Specific
- 8-47 Petition Review for Adequacy of MSWLF Design in Unapproved States/Tribes
- 8-51 Actions on "No Migration" Petitions

Chapter 12, TSCA

- 12-1 Inspections and Subpoenas
- 12-2-A/2-B Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements, Agency Representation in Hearings
- 12-2-D Administrative Enforcements: Signing Penalty Remittance Agreements and Remittance Orders
- 12-3-F Imminent Hazard Actions
- 12-5 Management of Polychlorinated Biphenyls
- 12-9 State/Tribal Cooperative Agreements (Toxic Substances Control Projects)
- 12-22 Toxic Substances Grants and Cooperative Agreements
- 12-28 Emergency Planning and Community Right-To-Know Enforcement Programs: Assistance to States and Indian Tribes
- 12-29 Lead Exposure Reduction Grants and Cooperative Agreements
- 12-33 Accreditation of Training Programs
- 12-34 Certification of Individuals and Firms Engaged in Lead-Based Paint Activities

Chapter 22, EPCRA

- 22-3-A Administrative Enforcement Actions
- 22-3-B Administrative Enforcement: Agency Representation in Hearing and Negotiations

Filing Instructions. Post receipt of this transmittal on the checklist of EPA transmittals in the Region 5 Delegation Manual.

Remove Old Delegation

Insert New Delegation

- | | |
|------|-----------|
| 5-2 | Withdrawn |
| 5-4 | 5-4 |
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| 5-8 | 5-8 |
| 5-9 | 5-9 |
| 5-10 | Withdrawn |

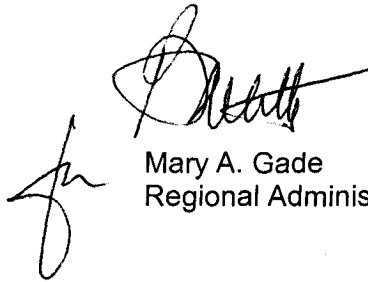
Delegation of Authority from the Regional Administrator

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8-9-A	8-9-A
8-9-B	8-9-B
8-9-C	Withdrawn
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8-45-A	8-45-A
8-45-B	8-45-B
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8-51	8-51

Delegation of Authority from the Regional Administrator

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12-2-A/2-B
12-2-D
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22-3-B

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22-3-B



Mary A. Gade
Regional Administrator

Delegation of Authority from the Regional Administrator